

vote by which the bill was passed, and to lay that motion on the table.

Tabled.

Senator Rogers called up

Senate bill No. 7, a bill to be entitled "An act to validate certain illegal sales of public school, University, and asylum lands, sold under section 22, chapter 99, of the laws of 1887, and the amendments thereto, sold as isolated and detached lands, which were not in fact isolated and detached."

And moved to suspend the constitutional rule requiring bills to be read on three several days, and that the bill be put upon its second reading.

Senator Steele moved to postpone further consideration of the bill till to-morrow.

Postponed by the following vote:

Yeas—16.

Agnew,	McKinney,
Atlee,	Presler,
Colquitt,	Sherrill,
Dean,	Smith,
Dibrell,	Stafford,
Dickson,	Steele,
Greer,	Tips,
Harrison,	Woods.

Nays—9.

Bowser,	Rogers,
Gage,	Shelburne,
Goss,	Simpson,
Lasker,	Whitaker.
Lewis,	

Absent, not excused.

Bailey,	Darwin,
Beall,	Lawhon,
Boren,	McComb.

Senator Colquitt sent up the following privileged committee report:

Committee Room,  
Austin, Texas, Oct. 3, 1895.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 8, being "An act to prevent delinquent tax-payers from pleading the statute of limitation by way of defense against the payment of any taxes due from him or her, either to the State or any county, city, or town,"

And find the same correctly engrossed.

COLQUITT, Chairman.

(Senator Smith in the chair.)

On motion of Senator Goss, the Senate took a recess till 8 o'clock this evening.

#### EVENING SESSION—AFTER RECESS.

The Chair rapped the Senate to order promptly at 8 o'clock p. m.

2—Senate

Senator Colquitt made the following privileged committee reports:

Committee Room,  
Austin, Texas, Oct. 3, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 5, being "An act to amend article 3893 of the Revised Civil Statutes of the State of Texas, relating to the investment of the permanent school fund,"

And find the same correctly engrossed.

COLQUITT, Acting Chairman.

Committee Room,  
Austin, Texas, October 3, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 6, being "An act making further appropriations for the support of the State government for the years beginning March 1, 1895, to February 28, 1897,"

And find the same correctly engrossed.

COLQUITT, Acting Chairman.

On motion of Senator Goss, the Senate adjourned to 10 a. m. to-morrow.

#### FOURTH DAY.

Senate Chamber,  
Austin, Texas, Oct. 4, 1895.

The Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Agnew,	Lawhon,
Atlee,	Lewis,
Bailey,	McComb,
Beall,	McKinney,
Boren,	Presler,
Bowser,	Rogers,
Colquitt,	Shelburne,
Dean,	Sherrill,
Dibrell,	Simpson,
Dickson,	Smith,
Gage,	Stafford,
Goss,	Steele,
Greer,	Tips,
Harrison,	Whitaker.
Lasker,	Woods.

Absent, not excused

Darwin.

Prayer by the Chaplain of the Senate, Dr. Smoot.

Pending reading of the Journal of yesterday.

Senator Goss moved to dispense with further reading of same.

Lost.  
Pending the further reading,  
Senator Steele moved to dispense with  
the further reading.

Lost by the following vote:

Yeas—5.

Agnew,	Rogers,
Bowser,	Stafford.
Lewis,	

Nays—21.

Atlee,	Harrison,
Bailey,	Lasker,
Beall,	Presler,
Boren,	Shelburne,
Colquitt,	Sherrill,
Dean,	Simpson,
Dibrell,	Smith,
Dickson,	Steele,
Gage,	Tips,
Goss,	Woods.
Greer,	

Absent, not excused.

Darwin,	McKinney,
Lawhon,	Whitaker.
McComb,	

Senator Steele moved to reconsider  
the vote by which the motion was lost.

Senator Dibrell moved to table the motion to reconsider.

Tabled.

The reading of the Journal was then completed.

On motion of Senator Dickson, Senator Boren was excused for non-attendance on yesterday evening on account of sickness.

#### PETITIONS AND MEMORIALS.

By Senator Dibrell:

Petition from 57 citizens of Gonzales county, praying for the immediate passage of a law making prize fighting a felony.

Read and referred to Judiciary Committee No. 2.

#### BILLS AND RESOLUTIONS.

By Senator Agnew:

Resolved, That the Journal Clerk, W. B. O'Quinn, be retained two days to index the Senate Legislative Record and deliver a corrected copy to the public printer; and that the Calendar Clerk, Engrossing Clerk and Enrolling Clerk each be retained two days to deliver such records to proper authorities and take receipts therefor; and that the Secretary, J. P. Pool, and Assistant Secretary, W. T. Sprowles, be retained two days to deliver all papers and records in their possession to the Secretary of State and to forward any delayed mail to Senators; and that all such officers so retained shall receive \$5 each per day for their services, and the same to be paid out of the per diem appropriation.

By Senator Boren:

Amend by striking out "two" wherever it applies to the Journal Clerk and insert "five."

Adopted by the following vote:

Yeas—15.

Atlee,	Lasker,
Bailey,	Lawhon,
Boren,	Presler,
Dean,	Rogers,
Dickson,	Shelburne,
Gage,	Steele,
Greer,	Whitaker.
Harrison,	

Nays—14.

Agnew,	McKinney,
Beall,	Sherrill.
Colquitt,	Simpson,
Dibrell,	Smith,
Goss,	Stafford,
Lewis,	Tips,
McComb,	Woods.

Absent, not excused.

Bowser,	Darwin.
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The resolution as amended was then adopted.

Call concluded.

The Chair laid before the Senate, on its second reading,

Senate bill No. 7, a bill to be entitled "An act to validate certain illegal sales of public school, university, and asylum lands sold under section 22, chapter 99, of the laws of 1887, and the amendments thereto, sold as isolated and detached lands, which were not in fact isolated and detached."

Bill read second time, and ordered engrossed.

On motion of Senator Rogers, the constitutional rule requiring bills to be read upon three several days was suspended and the bill put upon its third reading and final passage by the following vote:

Yeas—26.

Agnew,	Lewis,
Atlee,	McComb.
Bailey,	McKinney,
Beall,	Presler,
Boren,	Rogers,
Bowser,	Shelburne,
Colquitt,	Sherrill,
Dean,	Simpson,
Dickson,	Smith,
Gage,	Stafford,
Goss,	Steele,
Greer,	Whitaker,
Lasker,	Woods.

Nays—3.

Dibrell,	Lawhon.
Harrison,	

Absent, not excused,

Darwin,	Tips.
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Bill read third time, and passed by the following vote:

Yeas—24.

Agnew,	McComb,
Atlee,	McKinney,
Bailey,	Presler,
Boren,	Rogers,
Bowser,	Shelburne,
Dean,	Sherrill,
Dickson,	Simpson,
Gage,	Smith,
Goss,	Stafford,
Greer,	Steele,
Lasker,	Whitaker,
Lewis,	Woods.

Nays—5.

Beall,	Harrison,
Colquitt,	Lawhon.
Dibrell,	

Absent, not excused.

Darwin,	Tips.
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Senator Steele moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

By consent, Senator Simpson offered the following:

Resolved, that the Sergeant-at-Arms be retained for five days after adjournment, for the purpose of taking care of the property of this Senate.

By Senator Steele:

Amend by striking out "five" and inserting "two."

Senator Simpson accepted the amendment, and same was adopted.

The resolution as amended was adopted.

(Senator Lewis in the chair.)

The following House message was received:

House of Representatives,  
Austin, Texas, Oct. 4, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has passed the following bill, to-wit:

Senate bill No. 8, a bill to be entitled "An act to prevent delinquent tax payers from pleading the statute of limitation by way of defense against the payment of any taxes due from him or her either to the State or any county, city or town."

Passed by two-third vote; ayes 99, nays 3.

Respectfully,

CHESTER HAILE,  
Chief Clerk.

By Senator Dean:

Whereas, no provision has been made for payment of committee clerks by the Senate for this the extra session thereof; and

Whereas, only one of said clerks, to-wit, R. A. Groves, has appeared or performed any duty whatever; therefore, be it

Resolved, that said Groves be and he is hereby allowed compensation at the rate of \$5 per day for each day of this extra session, the same being the usual compensation allowed such clerks at regular sessions of the Legislature, and that the same be paid out of the contingent fund.

Senator Colquitt made the point of order that the resolution was not in order, for the reason that a resolution adopted by the Senate at the beginning of the session, dispensed with the services of all committee clerks.

After discussion, and pending action, Senator Dean withdrew the resolution. Senator Bailey made the following privileged report:

Committee Room,  
Austin, Texas, Oct. 4, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 7, being "An act to validate certain illegal sales of public school, University and asylum lands, sold under section 22, chapter 99, of the acts of 1887, and the amendments thereto, sold as isolated and detached lands, which were not in fact isolated and detached,"

And find the same correctly engrossed.

BAILEY, Chairman.

The Chair gave notice of signing, and did sign after the caption had been read,

Senate bill No. 8, being "An act to prevent delinquent tax-payers from pleading the statute of limitation by way of defense against the payment of any taxes due from him or her either to the State or any county, city, or town."

Senator Greer made the following privileged report:

Committee Room,  
Austin, Texas, Oct. 4, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 8, being "An act to prevent delinquent tax payers from pleading the statute of limitation by way of defense against the payment of any taxes due from him or her either to the State or any county, city or town,"

And find the same correctly enrolled, and have this day, at 11:55 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Senator Colquitt moved to adjourn to 3 p. m. to-day.

Senator Goss moved to adjourn to 10 a. m. to-morrow.

Lost.

The Senate adjourned to 3 p. m. to-day.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Agnew,	McKinney,
Atlee,	Presler,
Beall,	Rogers,
Bowser,	Shelburne,
Colquitt,	Sherrill,
Dibrell,	Simpson,
Dickson,	Smith,
Gage,	Steele,
Goss,	Tips,
Harrison,	Whitaker,
Lasker,	Woods.

Absent, not excused.

Bailey,	Lawhon,
Boren,	Lewis,
Darwin,	McComb,
Dean,	Stafford.
Greer,	

On motion of Senator Colquitt, the Senate took a recess till 4 o'clock p. m.

#### AFTER RECESS.

The Chair rapped the Senate to order promptly at 4 o'clock p. m.

Senator Sherrill moved to excuse Senator Darwin for non-attendance on this special session of the Twenty-fourth Legislature, from the beginning of said session till to-day.

Lost by the following vote:

Yeas—7.

Atlee,	Presler,
Bailey,	Sherrill,
Gage,	Whitaker.
McKinney,	

Nays—14.

Agnew,	Rogers,
Beall,	Shelburne,
Colquitt,	Simpson,
Dibrell,	Smith,
Dickson,	Steele,
Goss,	Tips,
Harrison,	Woods.

Absent, not excused.

Boren,	Dean,
Bowser,	Greer,
Darwin,	Lasker,

Lawhon,  
Lewis,

McComb,  
Stafford.

I vote no, because I do not regard Senator Darwin as a bona fide member of the Senate at this called session, he not having been here since we convened. If we excuse him it will entitle him to mileage and per diem. I do not believe the principle to be right to vote compensation to any one for service not rendered. I opposed this on principle when the Senate at regular session voted the Senator from Wood his pay from the beginning of the session, although he was absent and had not taken the oath of office.

HARRISON.

Senator Simpson moved to reconsider the vote by which the Senate refused to excuse Senator Darwin, and had same spread upon the Journal.

#### HOUSE MESSAGE.

The following message from the House was received:

House of Representatives,  
Austin, Texas, October 4, 1895.

Hon. Geo. T. Jester, President of Senate:

I am directed by the House to inform the Senate that the House has passed the following bill to-wit:

Senate bill No. 6, a bill to be entitled "An act making further appropriations for the support of the State government for the years beginning March 1, 1895, to February 28, 1897," with House amendment.

Passed by two-thirds vote; ayes 92, nays 3.

Respectfully,  
CHESTER HAILE,  
Chief Clerk.

Senator Tips called up

Senate bill No. 6, a bill to be entitled "An act making further appropriations for the support of the State government for the years beginning March 1, 1895, to February 28, 1897,"

Which had been passed by the House with an amendment, and moved that the Senate concur in said amendment.

Concurred by the following vote:

Yeas—22.

Agnew,	McKinney,
Atlee,	Presler,
Bailey,	Rogers,
Beall,	Shelburne,
Colquitt,	Sherrill,
Dibrell,	Simpson,
Dickson,	Smith,
Gage,	Steele,
Goss,	Tips,
Harrison,	Whitaker.
Lasker,	Woods.

Nays—none.

Absent, not excused.

Bowser,	Lawhon,
Boren,	Lewis,
Darwin,	McComb,
Dean,	Stafford,
Greer,	

By consent, Senator Rogers offered the following:

Whereas, our sister republic, Mexico, is now preparing to hold, during the year 1896, an international fair and exposition of fine arts; and

Whereas, we believe that such exhibitions are conducive to a higher civilization, and a speedier development of more friendly relations with that republic: now therefore be it

Resolved by the Senate of the State of Texas, that we extend to the management of said international fair and exposition our warmest sympathy and good will, and bespeak for them the highest measure of success.

Adopted.

On motion of Senator Smith, the Senate adjourned to 10 a. m. to-morrow.

#### FIFTH DAY.

Senate Chamber,  
Austin, Texas, Oct. 5, 1895.

Senate met pursuant to adjournment.  
Lieutenant Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Agnew,	Lawhon,
Bailey,	Lewis,
Beall,	McKinney,
Boren,	Presler,
Colquitt,	Rogers,
Dean,	Shelburne,
Dibrell,	Sherrill,
Dickson,	Smith,
Gage,	Steele,
Goss,	Tips,
Greer,	Whitaker,
Harrison,	Woods.
Lasker,	

Absent.

Atlee,	McComb,
Bowser,	Simpson,
Darwin,	Stafford.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Whitaker, the reading of the Journal of yesterday was dispensed with.

On motion of Senator Sherrill, Senator Stafford was excused indefinitely on account of sickness in his family.

On motion of Senator Presler, Senator Bowser was excused for to-day on account of important business.

On motion of Senator Lawhon, Senator Atlee was excused indefinitely on account of important business.

On motion of Senator Shelburne, Senator Simpson was excused till Monday next on account of important business.

On motion of Senator Bailey, Senator McComb was excused indefinitely on account of important business.

On motion of Senator Sherrill, the Senate took a recess till 11 o'clock a. m. to-day.

#### AFTER RECESS.

The Chair gave notice of signing, and did sign after the caption had been read, Senate bill No. 6, a bill to be entitled "An act making further appropriations for the support of the State government for the years beginning March 1, 1895, to February 28, 1897."

Senator Colquitt made the following privileged report:

Committee Room,  
Austin, Texas, Oct. 5, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 6, being "An act making further appropriations for the support of the State government for the years beginning March 1, 1895, to February 28, 1897,"

And find the same correctly enrolled, and have this day, at 11:10 a. m., presented the same to the Governor for his approval.

COLQUITT, Acting Chairman.

On motion of Senator Steele, the Senate took a recess to 3 p. m.

#### AFTER RECESS—AFTERNOON SESSION.

Senator Rogers moved to excuse Senator Greer from attendance this afternoon and Monday.

Lost.

Senator Boren moved to excuse Senator Presler from attendance this afternoon and Monday.

Lost.

On motion of Senator Colquitt, the Senate took a recess till 4 p. m. this evening.

The Chair rapped the Senate to order at 4 p. m., and

On motion of Senator Beall, the Senate adjourned to 8:30 Monday morning.